



REPRESENTATIVE **TOM MIELKE**

2004

LEGISLATIVE SESSION REPORT

REP. TOM MIELKE

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(ranking Republican)
Local Government
Transportation

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Dear Friends and Neighbors,

The 2004 legislative session has concluded and legislators will reconvene in January 2005, when our beautiful Capitol Building re-opens after two years of renovations.

This session saw some great legislation pass that will enhance our school system, ensure our food supply is safer, provide tougher punishment for sex offenders, and allow us to have a primary election in September.

We also missed some opportunities, including true tort reform and providing much needed relief to our small employers. However, I remain optimistic these issues and others will be addressed in the future.

Every issue I consider as your representative, I first think about **how it impacts our district and its jobs**. I welcome your input during these processes.

Though my time in Olympia is only for a few months each year, **I'm your full-time legislator**. Please contact me if I can help.

Best regards,

Rep. Tom Mielke, R-Battle Ground



18TH LEGISLATIVE DISTRICT

REPRESENTATIVE **TOM MIELKE** • 18TH DISTRICT

APPOINTMENT TO WASHINGTON STATE GAMBLING COMMISSION

In February, I was appointed to the Washington State Gambling Commission (WSGC). I'm honored to be appointed to this position and look forward to working with the commission to ensure that gambling establishments in our state comply with the law.

Gambling plays a role in our economy, with net gambling receipts in Washington totaling just over \$1.3 billion in 2003. This money exchanging hands underscores the importance of regulation and **making sure the public is protected.**

Washington does not collect a gambling tax, but does collect a business and occupation tax. State law allows cities or counties to tax gambling. Licensees reported **paying nearly \$44 million in local gambling taxes** for the fiscal year ending in June 30, 2003.

Four members of the Legislature act as *ex officio* members for the WSGC. *Ex officio* members do not vote, except for purposes of approving or amending tribal gaming compacts. Five citizens are appointed by the Governor, with the consent of the state Senate, to act as part-time commissioners for a six-year term.

WSGC is funded through licensing and regulatory fees paid by licenses and tribal governments and is not a general fund agency. For more information on WSGC, please visit: <http://www.wsgc.wa.gov/>

SUPPLEMENTAL BUDGET



The supplemental budget is a mid-course adjustment to our state's operating budget, which is written every two years. Normally, adjustments are minor and **accommodate state needs**, but don't impact policy. Yet, some legislators attempted to incorporate policy in this year's supplemental budget.

It was my hope that we'd **hold the line on spending** this year to avoid a possible budget deficit next year. In the end, we could have done better. I fear a budget deficit nearing \$1 billion may be waiting for state lawmakers next year.

There will always be philosophical differences in terms of spending for our budgets. I've always believed **we need to fund our essential state services, while looking for savings in the process.**

This approach is similar to what families do – they pay their bills and save as much as they can. Both our state and families save money to assure a safe amount of reserves is in place for unexpected events. **I think our state can do a better job of this.**

PUNISHING AND DETERRING SEX OFFENDERS



There is no crime worse than one perpetrated against a defenseless person, especially a child.

A very important bill passed this session that tightens up laws relating to our Special Sex Offender Sentencing Alternative program – or SSOSA. This program allows sex offenders to accept treatment in exchange for a lighter prison sentence.

The measure that passed now **makes it tougher for child rapists and molesters to get treatment instead of prison time.** Prior to this, child rapists and molesters could often go through a treatment program and receive little prison time for their crimes. While treatment is important for offenders, so is punishment in prison for their crimes.

A bipartisan group of legislators fought for an even stronger bill that would have required mandatory minimum sentences. I was one of these legislators. However, a small, but vocal, group stopped it from moving forward.

While this was disappointing, I'm still supportive of what passed because **it sends a strong message to any would-be sex offenders that there will be serious repercussions for their actions.**

2004 LEGISLATIVE SESSION REPORT

JOB CREATION THROUGH TAX INCENTIVES



Tax incentives help create jobs. Some mistakenly believe that tax incentives are only a drain on our state's resources. I don't subscribe to this theory.

Tax incentives merely offset part of the taxes an employer pays. I would much rather have our state receive most of an employer's tax revenue and **retain all of their jobs**, than watch them relocate to another state. I'm sure most people would agree.

This session, a measure passed that extends tax incentives to high-tech employers in an attempt to get them to expand or move to our state. These tax incentives were already in place, but set to expire. It was very important we renewed them because it **sends the right message to job-providers**. It's important we continue to understand the role of these employers and the jobs and technology they provide.

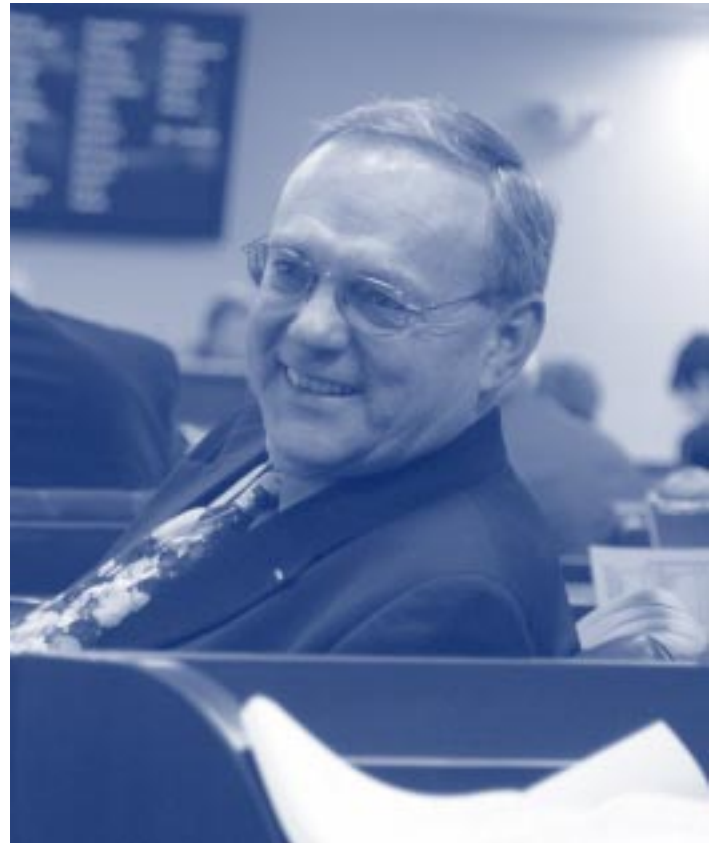
MORE MUST BE DONE FOR JOB-PROVIDERS



Washington must become more employer-friendly. We have a lot more work to do, and it should continue the rest of this year and into the 2005 legislative session. **It's time to move Washington's struggling economy forward.** We've taken some small steps forward, but more must be done.

It begins with the state being fiscally responsible. This means **funding essential state services, while being careful with our reserves**. Second, we need to **increase our competitiveness** as a state for existing and new employers through:

- ✓ Regulatory relief
- ✓ Increasing the small business tax credit
- ✓ Creating affordable small group insurance
- ✓ Addressing business liability insurance costs



REP. MIELKE HAS WORKED TO MAKE WASHINGTON MORE FRIENDLY TO EMPLOYERS.

A MISSED OPPORTUNITY FOR TRUE TORT REFORM



A tort is a wrongful act, damage or injury done willfully by a party to someone else. Victims have the right to bring a civil suit against the parties who cause the act, damage or injury.

I'll always support a person's right to recover damages when they are harmed by someone else. Yet, it needs to be within reason. There are **too many outrageous and frivolous lawsuits** these days that don't deserve the courts' considerations. We've heard about many of these examples in the news.

An **equitable court system** not only benefits you — the consumers — it benefits job-providers. Part of being a more employer-friendly state is having a court system

REPRESENTATIVE TOM MIELKE • 18TH DISTRICT

that is **fair and not an insurmountable burden to job-providers**. It's time for real tort reform.

Unfortunately, the Legislature failed to pass any significant tort reform this year. It did pass a few bills that the media appropriately reported as "**tort lite**," for their lack of addressing the problems we face.

As a result, doctors and other employers are forced to further endure frivolous and expensive lawsuits – litigation that consumers end up paying for in the long run.

The Senate passed a tort reform bill that would have struck at the heart of the problem. It received a hearing in the House Judiciary Committee, where it was greeted with overwhelming support. Yet, it never received a vote in this committee and, therefore, never was considered by the House.

Other states have provided us a template for true tort reform. It's time Washington follows this lead to **help put the "justice" back in our justice system:**

- ✓ Cap on non-economic damages
- ✓ Tort judgment interest rate
- ✓ Evidence of collateral sources of payment
- ✓ Binding arbitration of disputes
- ✓ Encouraging early dispute resolution to free up courts and reduce costs
- ✓ Protecting injury victims and consumers by tying money awards to actual fault

KALAMA GRAIN ELEVATOR TO BENEFIT FROM RAILROAD SPUR



The Kalama Grain Elevator, considered one of the largest and fastest grain export elevators on the West Coast, will benefit for years to come from a new railroad spur that will be built to help accommodate it. **The funding for this project came from our state's supplemental budget** this year.

This funding and new railroad spur will allow the grain elevator to be even more efficient and important to the area. **One can't overstate the importance of the Kalama Grain Elevator and Port of Kalama to our district.** My hat goes off to all the hard-working people who make these operations as effective as they are.

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